

AO 91 (Rev 8/01) Criminal Complaint

United States District Court  
Southern District of Texas  
FILED

## United States District Court

APR 18 2019

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

## CRIMINAL COMPLAINT

Luis Garcia-Ortega

Case Number: M-19-0881-M

AKA Eliezar Diaz-Ortega

IAE YOB: 1980  
MEXICO

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about April 17, 2019 in Starr County, inthe Southern District of Texas

(Track Statutory Language of Offense)

being then and there an alien who had previously been deported from the United States to Mexico in pursuance of law, and thereafter was found near La Grulla, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)

I further state that I am a(n) Senior Patrol Agent and that this complaint is based on the following facts:

Luis Garcia-Ortega was encountered by Border Patrol Agents near La Grulla, Texas on April 17, 2019. The investigating Agent established that the Defendant was an undocumented alien and requested record checks. The Defendant claims to have illegally entered the United States on April 17, 2019, near Rio Grande City, Texas. Record checks revealed the Defendant was formally Deported/Excluded from the United States on May 25, 2018 through Del Rio, Texas. Prior to Deportation/Exclusion the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security. On January 9, 2012, the defendant was convicted of Conspiracy to possess and distribute a listed chemical (pseudophedrine) knowing or having reasonable cause to believe it will be used to manufacture methamphetamine and sentenced to ninety-seven (97) months confinement and two (2) years supervised release term.

*Approved by [Signature]*

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

Sworn to before me and subscribed in my presence,

April 18, 20192:43 PM

Signature of Complainant

Mickel Gonzalez

Senior Patrol Agent

Peter E. Ormsby, U.S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer